


Non-Executive Report of the:  <b>Overview and Scrutiny Committee</b>  1 <sup>st</sup> February 2016	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Debbie Jones, Corporate Director, Children's Services	<b>Classification:</b> Unrestricted
<b>Outcomes for children in care scrutiny review</b>	

<b>Originating Officer(s)</b>	Nasima Patel, Service Head, Children's Social Care
<b>Wards affected</b>	All wards

### **REASONS FOR URGENCY**

The report was not published five clear days in advance of the meeting. The delay was due to report not being in the correct O&S template from the outset. The focus for Overview and Scrutiny for this meeting is Children's Services and therefore it is felt that it would be appropriate and timely to review this report and not delay any further in receiving this review of outcomes for children in care.

### **Summary**

Children and young people looked after are not a homogenous group and come with different experiences and needs. They may be looked after for a few days or for many years. Regardless of these different circumstances we have the same aspirations for the children we are responsible for as any parent would. We want children and young people to develop into resilient, successful individuals, able to form healthy relationships and take advantage of every positive opportunity presented.

Children and young people who are in the care of the local authority are among the most vulnerable in our community. They are entitled to the best services that can be provided and achieving this for them requires understanding, commitment and passion from all agencies and individuals who hold a responsibility to provide services for them.

In Tower Hamlets like in other authorities we are working to the principles of timeliness for children and risk reduction for children, rather than risk management as a result of learning from national and local reviews, understanding new risk such as gangs, family violence. In order to deliver to these principles we have agreed as a Children's Services Directorate Team to make early help more targeted, our thresholds adapt to new risks, work better in partnership with families and our decision-making more robust earlier in the child's journey with us.

**Recommendations:**

The Overview and Scrutiny Committee is recommended to:

1. Note the contents of the following report and attached appendices and offer comments for input into continuing to improve outcomes for Looked after Children.

## **1. REASONS FOR THE DECISIONS**

1.1 This is a noting paper as requested by scrutiny members.

## **2. ALTERNATIVE OPTIONS**

2.1 N/A

## **3. DETAILS OF REPORT**

### **Children Looked After Strategy 2015/18**

Tower Hamlets Children Looked After Strategy describes our responsibilities, lines of accountability, priorities and objectives for the next 3 years and how we plan to achieve them. The Children Looked After Strategy should be considered in conjunction with our Children and Families Plan and our Sufficiency Strategy.

The key principles supporting the strategy are;

- Good parenting is demonstrated through: being loved, listened to, supported, respected and kept safe.
- Every child and young person is inherently a rights holder and should enjoy their universal rights. The local authority will act as the principal duty bearer and take all necessary procedures to guarantee their rights under the UN Convention on the Rights of the Child.
- Children and young people are usually best cared for within their own families, utilising the universal and where appropriate specialist forms of support that are available.
- Children should only be looked after when this is genuinely the best or only option to safeguard and promote their welfare.
- Care should provide a safe and positive experience for all children and one that preserves and promotes their identity, culture and religion.
- Children should only be kept within the looked after system for the minimum amount of time that is required to make permanent and sustainable plans for them.
- The council should fully exercise our Corporate Parenting responsibilities towards all children in our care and this is most significant for those children who are to remain in our care long term.
- Permanency planning starts from the decision that a child needs to come into care and continues until the child's future is secured.
- The best care experience will be provided when services have been informed and shaped by the views and experiences of children and young people who have experienced those services.
- Children and their families deserve to be treated with dignity, care and respect at all times, regardless of the difficulties they face and the challenges they may present.

In order to deliver our priorities for Children Looked After and our commitment to child rights, an action plan was developed alongside the strategy.

<http://democracy.towerhamlets.gov.uk/mgConvert2PDF.aspx?ID=86165>

### **Corporate Parenting**

The Council has a duty, embedded within our policies and procedures, to support families to care for their own children, using all universal and targeted support available. However, when children cannot live safely within their own extended families the council acquires a corporate parenting duty towards those children.

Corporate parenting is the term used to describe the role that local authorities and their partners play in relation to children and young people in and leaving care. The concept was first introduced by Frank Dobson MP in 1998 and has since been enshrined in legislation and statutory guidance, most recently in the Children and Young People's Act 2008.

The Lead Cabinet Member for Children's Services and the Director for Children's Services hold the overall strategic responsibility. The overall operational responsibility is held by Children's Social Care, with social workers and carers directly delivering corporate parenting on a day to day basis. Other professionals with responsibilities for delivering services to children and young people also hold a responsibility for both safeguarding and improving outcomes for children and young people looked after. All these people need to understand and demonstrate their respective roles and responsibilities in relation to corporate parenting.

All elected members of the council have a role as corporate parents towards children in care which encompasses the following responsibilities:

- To ensure that the council is meeting government objectives and abiding by statutory guidance in relation to looked after children and care leavers
- To ensure that the council is meeting the targets it has set itself in relation to children looked after and care leavers
- To have an overview of operational work plans related to children looked after and care leavers
- To contribute to and facilitate scrutiny of target areas in relation to children looked after and care leavers
- Ensure that the CiCC views are taken into account
- To ensure the members are well equipped to champion the needs of Looked After Children within other forums

Following the development of the Children Looked After Strategy, the Corporate Parenting Board (CPB) reorganised itself to put the strategy and child rights at the core of its business. Board meeting follow a thematic agenda based on need, established through the strategy. In 2016/17, the CPB has conducted (will conduct) a spotlight session on;

- Health and Wellbeing, Leisure and Positive Activities
- Housing and Supported Accommodation
- Empowering Child Rights




- Employment (jobs and money)
- Education and attainment

The CPB believes that children should be informed and have influence over decisions that affect them and the Board has been more closely aligned to the Children in Care Council (CiCC). Thematic agendas are reflected in the CiCC and insight reports are presented at the beginning of each meeting. These reports provide valuable insight on the views and opinions of young people in (leaving) care. Each report includes a series of recommendations which are discussed at each meeting. Going forward, the Corporate Parenting Board would like to develop its feedback mechanisms, so that young people are more informed about the decisions made at the CPB and information flows between the CPB and CiCC.

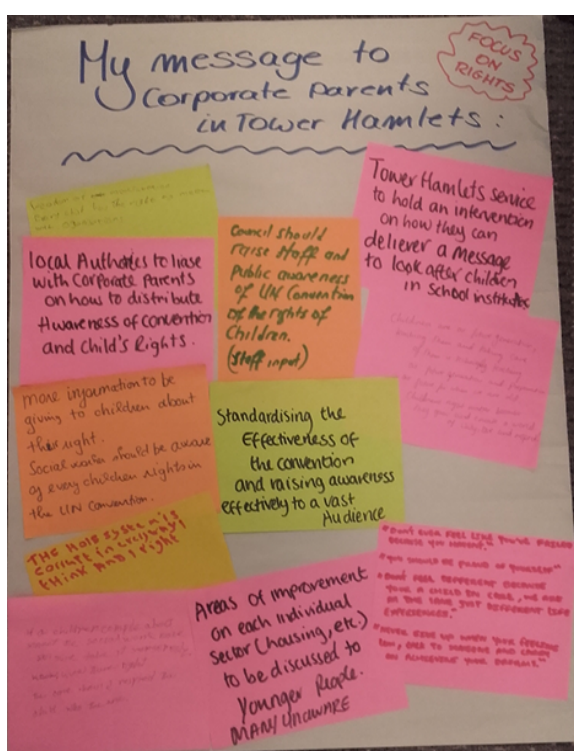
### Views and opinions of Looked After Children and young people leaving care

In December 2016, UNICEF UK conducted a number of sessions with the Children in Care Council on behalf of the Corporate Parenting Board. The sessions focused on the children and young people's knowledge and understanding of rights enshrined in the UN Convention on the Rights of the Child. The report additionally shared some insights into children and young people's views and experiences of local services.

Young people were asked to complete a short, anonymous questionnaire to gauge their views and experiences in relation to their enjoyment of rights such as participation, access to information and knowledge of rights;

	 AGREE / YES	 NOT SURE / SO-SO	 DISA GREE / NO
I feel my social worker listens to me & considers my feelings and wishes	4	3	
I feel my reviewing officer listens to me & considers my feelings and wishes	5	2	
I feel respected and treated with dignity by staff at all times	4	3	
I understand and I am able to explain who my Corporate Parents are in Tower Hamlets	3	1	3
I can influence key decisions about me and my life, for instance about health, education, housing, relationships	5	2	
I can influence local policies relating to children and young people, for instance about services for young people	4	3	
I think local decision makers understand the concerns and issues affecting children and young people in Tower Hamlets	2	5	

I know where to access information about my rights *	7		
I know how and where to complain if I feel my rights are being breached or disrespected by a member of staff **	7		
I think there is enough information out there for children and young people in Tower Hamlets to learn about their rights	3	3	1



Key messages for the Corporate Parenting Board included;

*“More information to be given to children about their rights. Social workers should be aware of every children’s right in the UN convention.”*

*“Freedom of association – every child has the right to meet with organisations.”*

*“Children are our future generation, teaching them and taking care of them is technically teaching our future generation and preparation for our future for when we are old. Children’s rights matter because they grow and create a world of unity, love and respect.”*

*“Areas of improvement on each individual sector (housing, etc.) to be discussed to younger people... Many unaware.”*

*“Standardising the effectiveness of the convention and raising awareness*

*effectively to a vast audience.”*

*“Council should raise staff and public awareness of UN convention of the rights of children.”*

*“If children complain about something the social worker [should] make sure [to] take it seriously - know their rights. The carer should respect the child.”*

*“The whole system is corrupt in every way, I think, and I (am) right.”*

*“Tower Hamlets service to hold an intervention on how they can deliver a message to looked after children in school institutions.”*

*“Local Authorities to liaise with corporate parents on how to distribute awareness of convention and child’s rights.”*

## ***What do you think questionnaire***

The 'What do you think' questionnaires have been designed to engage and gather feedback from children, young people and families in children's social care. The questionnaires allow for children and families to engage with services and provide feedback about the service, it also gives an overview on how we are doing.

The feedback from children and young people shows that young people feel mostly positive about the service they are receiving from their Personal Advisors and Social Workers. When young people were asked whether their Social Worker explained things clearly in a way they could understand, 88 per cent of children and young people said 'Always' and 11 per cent of children and young people said 'Sometimes'. The questionnaire asked children and young people whether they felt that their Social Worker or Personal Advisor listened to them. The results show that 88 per cent of children and young people are more likely to say that their Social Worker or Personal Advisor always listened to them and 11 per cent of children and young people are more likely to say that their Social Worker or Personal Advisor sometimes listened to them.

Young people in the Leaving Care Service were asked whether they felt that their Personal Advisor treated them with respect. 100 per cent of young people responded that their Personal Advisor treated them with respect. 79 per cent of young people said they felt their Personal Advisor 'always' included them when making decisions and 14 per cent of young people said they felt that their Personal Advisor included them 'sometimes' and 7 per cent of young people said they did not know.

When asked whether young people in the leaving care service knew why their personal advisor worked with them, 71 per cent of young people are more likely to say they 'always' knew why their Social Worker worked with them and 14 per cent of young people are more likely to say they 'sometimes' knew why their Personal Advisor worked with them. Young people in the Leaving Care Service were asked whether it was easy to contact their social worker when they needed to, 64 per cent said it was always easy to contact their personal advisor and 36 per cent of young people said it was sometimes easy to contact their personal advisors.

Young people were asked if their Social Worker/Personal Advisors were on time when they met with them. 93 Per cent of young people said 'yes' and 7 per cent of young people said 'not always, but they let me know'. When asked if their Social Worker/Personal Advisor made a difference in their life, 79 per cent of young people said 'yes' their Social Worker/Personal Advisor made a difference in their lives and 21 per cent said 'sometimes' their Social Worker/Personal Advisor made a difference in their lives.

Some of the comments from young people highlight some of the positive aspects of having a Personal Advisor. Some young people commented that they received a lot of good advice, support and respect from their Personal Advisors which made a difference in their lives.

#### **4. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 4.1 This is a noting report to inform the Overview and Scrutiny Committee of the Council's approach towards improving outcomes for Looked After Children. If the Committee decides that changes are required to this approach, then an assessment will need to be carried out on the financial impact of the changes.

#### **5. LEGAL COMMENTS**

- 5.1 The Council has a primary duty set out in section 22(3) of the 1989 Act to safeguard and promote the welfare of looked after children and to act as good corporate parents to enable each looked after child to achieve his/her full potential in life.
- 5.2 There are three routes for children to become looked after by the Council. Section 20 of the children Act 1989 sets out the Council's duties and powers to accommodate children with the consent of their parents, with the agreement of 16-17 year olds (who are able to consent to being accommodated themselves) or where children have no one with parental responsibility in the UK or are lost or abandoned. Sections 31, 38 and 44 of the 1989 Act enable the Council to accommodate children by order of the court, either temporarily or permanently. Finally, children can be remanded to local authority care by the Youth Courts under the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012.
- 5.3 Recent developments in case law have required local authorities to reduce reliance on section 20 as a means of accommodating children, both in ensuring that parents have capacity to consent to accommodation and that this is freely given. The courts are also concerned in respect of children remaining in section 20 for lengthy periods, where it is clear that rehabilitation to the parents' care is unlikely and clear plans should be made for their permanent care.
- 5.4 The Council's duties towards children who are looked after are set out in sections 22-23ZB of the 1989 Act, the Care Planning, Placement and Care Review (England) Regulations 2010 and Children Act 1989 guidance and regulations Volume 2, updated in June 2015. The guidance is issued under section 7 of the Local Authority Social Services Act 1970 so must be complied with by local authorities, unless local circumstances indicate exceptional reasons that justify a variation. It describes how local authorities should carry out their responsibilities in relation to looked after children, to support the local authority in its duty to act as good corporate parents.
- 5.5 In the exercise of its functions, the Council must with the public sector equality duty to eliminate unlawful conduct under the Equality Act 2010, the need to have regards to equality of opportunity and the need to foster good relations between persons who share a protected characteristic, including ethnicity, and those who do not.



## **6. ONE TOWER HAMLETS CONSIDERATIONS**

- 6.1 Children and young people who are in the care of the local authority are amongst the most vulnerable in our community. This paper alongside the LAC strategy seeks to outline our responsibilities to promote positive outcomes for this group and ensure that we meet both our obligations towards them.

## **7. BEST VALUE (BV) IMPLICATIONS**

- 7.1 As this is a noting report, there are no best value implications

## **8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 8.1 There are no direct implications around environment issues arising from this report.

## **9. RISK MANAGEMENT IMPLICATIONS**

- 9.1 As this is a noting report, there are no risk management implications

## **10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 10.1 There are no direct implications around crime and disorder arising from this report.

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### **Linked Reports, Appendices and Background Documents**

#### **Linked Report**

- None

#### **Appendices**

- Appendix 1 – Corporate Parenting Steering Group LAC Profile Report
- Appendix 2 – Knowledge and awareness of Children’s Rights: The views of Looked after Children and Care Experienced Young People.

#### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- NONE

#### **Officer contact details for documents:**

- N/A